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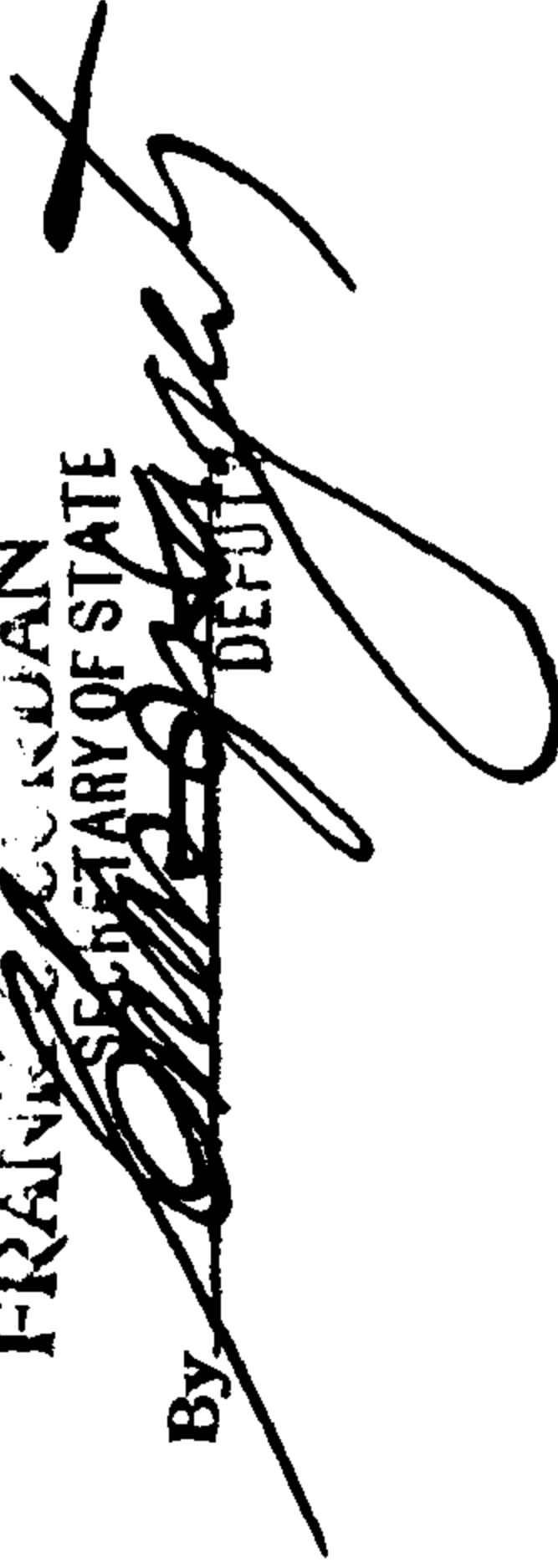
in the office of the Secretary of State
OF THE STATE OF CALIFORNIA

JUL 22 1938

FRANK J. CONNOR
SECRETARY OF STATE

By

DEPUTY



The Attorney General has prepared a title and summary of the proposed measure, as follows:

LABOR. Initiative. Defines what constitutes lawful and unlawful picketing, boycotting and display of banners; Prohibits seizure of private property, coercion, intimidation, obstruction or interference with use of public highways, streets, wharves, docks, and other public places, use of abusive or misleading statements or threats of violence, and certain other acts in connection with labor disputes and other industrial controversies. Recognizes the right of employees to strike and bargain collectively. Provides for civil damages and prescribes criminal punishments and penalties for and judicial procedure to prevent and enjoin violations thereof. Repeals all laws conflicting therewith.

STATE OF CALIFORNIA,

County (or City and County) of _____ } ss.

To the Honorable Secretary of State of the State of California:

We, the undersigned, registered and qualified electors of the State of California, residents of the County (or City and County) of _____, present to the Secretary of State this petition and hereby propose a law to read as hereinafter set forth in full and petition that the same be submitted to the electors of the State of California, at the next succeeding general election occurring subsequent to ninety (90) days after the presentation of this petition, or at any special election called by the Governor in his discretion prior to such general election.

The Title and full text of said proposed act is as follows:

An Act to prevent certain abuses, practices and acts most frequently occurring in connection with labor disputes and other industrial controversies; to define what constitutes lawful and unlawful picketing, boycotting and display of banners; to prohibit coercion, intimidation, seizure or occupancy of private property of others, obstruction or interference with the use of public highways, streets, wharves, docks, and other public places, use of abusive or misleading statements or threats of violence, and certain similar acts, for certain purposes most frequently connected with labor disputes and other industrial controversies such as to induce another person or other persons (i) not to patronize, perform services for, or otherwise deal with, a certain place of business, person, or property, (ii) to join or refrain from joining, or to remain or cease to remain, a member of a labor organization, (iii) to employ or refrain from employing, or to continue or terminate the employment of, any person or class of persons, (iv) to grant or refrain from granting any demand in connection with any industrial controversy, or (v) to strike or participate in any strike of employees against an employer; to recognize the right of employees to strike and to bargain collectively through representatives of their own choosing; to declare the failure or refusal of an employee to handle or deal with property because of the source or destination thereof to be just cause for dismissal from employment; to prohibit combinations and agreements for the purpose of violating or causing the violation of this Act; to provide for criminal penalties and civil damages for and judicial procedure to prevent and enjoin violations of this Act; and to repeal all laws and parts of laws in conflict with this Act.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

Section 1. Negotiations of terms and conditions of labor should result from voluntary agreement between employer and employees. Governmental authority has permitted employers to organize in the corporate and other forms of capital control. In dealing with such employers, the individual unorganized worker in many types of employment was helpless to exercise actual liberty of contract and to protect his freedom of labor, and thereby to obtain acceptable conditions of employment. Therefore, governmental authority has also permitted individual workers to associate together, and designate representatives of their own choosing, to negotiate the terms and conditions of their employment, and for other mutual aid or protection. In a growing number of instances, however, professional organizers of workers and promoters of workers' organizations have adopted, or caused to be adopted, practices of coercion and intimidation directed against both employees and employers, with such effect that employees and employers have been deprived of actual liberty of contract, and employees have been deprived of the right freely to decide whether or not to associate themselves with such organizations. Workers are forced into and out of organizations not of their own choosing, in order to protect themselves, their families, their property, and their jobs from the predatory activities of such organizations. Workers are arbitrarily ordered to engage in strikes, boycotts, and picketing in support of controversies in which they have no real interest, with the result that trade, commerce and business are subjected to restraints and interruptions wholly out of proportion to the issues involved between the real parties to such controversy. Traffic upon the highways of the State and commerce upon the public docks and wharves is molested and interrupted by threatening groups purporting to represent organizations of workers. Commerce in the State is interrupted through organizations of workers arbitrarily ordering that their members refuse to handle various goods and products, because of the affiliation or non-affiliation of some earlier producer or handler of such goods or products with such organization or a rival organization, this practice being frequently designated and referred to as the refusal to handle "hot cargo". Mercenary pickets are used to beset places of business where no dispute exists between the workers and their employer. The practices and abuses made unlawful by this act cause unreasonable interruptions in trade and commerce, increase unemployment, impair the rights of workers to select representatives of their own choosing for collective bargaining with employers, impede or prevent the negotiation of truly voluntary agreements between employers and employees and threaten the peace, welfare, health and safety of the people of this State. In interpreting this act it is declared to be the policy of the State of California (1) to permit employees voluntarily to organize in associations which are actually of their own choice, without coercion from any existing organization or from any other source whatsoever; (2) to limit the use of pickets to the actual parties to a labor dispute solely over wages, hours and physical conditions of employment; (3) to limit the use of boycotts to such as are directed against an employer, by or at the request of the bona fide employees of such employer, solely because such a labor dispute exists between them; (4) to declare the illegality of and prohibit "sit-down" and "stay-in" strikes; (5) to keep the highways, docks, wharves and other channels of trade and commerce free from unreasonable burdens and interruptions not directly resulting from lawful activities of the actual parties to a bona fide labor dispute over wages, hours and physical conditions of employment; (6) so to adjust the balance of power between an employer and those members of a labor organization engaged in a bona fide labor dispute with such employer that, whether such employer be large or small, true collective bargaining and a truly voluntary agreement between such employer and such organization of employees may obtain; and (7) to preserve and protect the peace, safety, health and welfare of the people of the State of California, whether members of the consuming public, the workers, or the employers.

or misleading statements or threats of violence, and certain other acts in connection with labor disputes and other industrial controversies. Recognizes the right of employees to strike and bargain collectively. Provides for civil damages and prescribes criminal punishments and penalties for and judicial procedure to prevent and enjoin violations thereof. Repeals all laws conflicting therewith.

Section 2. Definitions: For the purposes of this act:

(a) The term "person" includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, trustees in reorganization, or receivers.

(b) The term "employee" shall include any individual who stands in the relation of employee to any employer and, unless this statute explicitly states otherwise, (i) shall not be limited to the employees of a particular employer, and (ii) shall include any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or any other current industrial controversy.

(c) The term "bona fide employee" of any particular employer shall mean any individual (i) who is working for such employer or (ii) who was working for such employer at the time the work of such individual for such employer ceased as a consequence of, or in connection with, any current labor dispute between such employer and one or more of the employees of such employer; but shall not include any employee or former employee of an employer if such employee or former employee shall have entered into such employment for the purpose of picketing or of assisting in or creating any labor dispute or industrial controversy or strike.

(d) The term "labor organization" means any organization of any kind, or any agency, person or employee representation committee or plan, in which employees participate directly or indirectly, and which exists for the purpose, in whole, or in part, of dealing with employers concerning or on behalf of employees.

(e) The term "place of business" shall mean and include, but not be limited to, any farm, ranch, dairy, dock, wharf, terminal, conveyance, vehicle, boat, works, factory, plant, warehouse, store, shop, office, hotel, apartment house, theatre, eating place, place of amusement, construction job, service station, garage, parking lot, building, or place where business or service of any sort is being, or is usually, carried on or rendered or where any labor is being, or is usually, employed.

(f) The term "to picket" shall mean and include to walk, march, patrol or ride to and fro, back and forth, or in any other repeated or successive or continuous manner, or to stand, sit or remain, in front of, in the vicinity of, or about any place of business, any place of residence, or any of the approaches leading thereto or therefrom.

(g) The term "labor dispute" shall mean and include any controversy between a particular employer and one or more of the bona fide employees of such employer concerning and limited to the wages or rates of pay of such employees, the days or hours of work of such employees, the physical condition of the place where work is being or is to be done by such employees, the physical condition of the tools and equipment with which work is being or is to be done by such employees, or the physical condition of the supplies, materials, or goods with, on or with respect to which work is being or is to be done by such employees.

(h) The term "industrial controversy" shall include any labor dispute, any controversy between an employer and a labor organization, any controversy between two labor organizations, and any controversy concerning terms, tenure, tenor or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing or seeking to arrange terms, tenure or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee. No reference in this act to "industrial controversy" is intended or shall be deemed to recognize or make lawful any such controversy or acts done in the course thereof except as in this act expressly provided.

(i) The term "primary strike" against a particular employer shall mean and include any cessation of work by two or more of the bona fide employees of such employer solely in order to obtain or resist a change by such employer in their wages or rates of pay, their days or hours of work, or the physical conditions of their place of employment, tools, equipment, supplies, materials or goods as described and limited under the definition of "labor dispute" above after demands made therefor on such employer in writing. A primary strike may exist against such employer generally, or may exist at only one or more of the separate places of business of such employer. A primary strike shall only be deemed to exist against any such place of business of such employer if two or more or all of the bona fide employees of such employer at such place of business have ceased to work for the purpose and under the conditions above described in this subsection (i).

(j) The term "banner" shall mean and include, but not be limited to, any banner, transparency, paper, sign, insignia, badge, emblem, symbol, ribbon, band, card, or picture.

(k) The term "public place" shall mean and include, but not be limited to, any public highway, dock, wharf, terminal, road, street, parkway, sidewalk, alley, way, lane, walk or park.

(l) The words "coerce" or "coercion" shall mean and include, but not be limited to, the infliction or threat, directly or indirectly, (i) of injury to the person or damage to the property of another person, or of any husband, wife, parent, child, other personal relation, member of the household, employer or employee of such other person, or (ii) of loss of employment or reduction of wages or salary, or (iii) of the imposition by any labor organization of any penalty, fine or forfeiture, or (iv) of any monetary loss, injury to business, or reduction in earnings or profits, or (v) of loss or impairment of the ability to obtain workers, materials, supplies, goods, wares, merchandise, tools, equipment, services or accommodations, or (vi) of the exercise of power possessed, or supposed to exist or to be possessed, by the party coercing over or with respect to the party coerced; provided, however, that such words shall not include the infliction or threat of a voluntary strike or of lawful picketing as permitted under Section 6 hereof or of a lawful boycott as permitted under Section 10 hereof.

(m) The words "intimidate" or "intimidation" shall mean and include, but not be limited to, any communication, act or conduct made or done in a manner calculated or with the intention to inspire fear or apprehension of any of the losses, injuries or detriments described under subdivisions (i) to (vi), both inclusive, of subsection (l) immediately preceding; provided, however, that such words shall not include the infliction or threat of a voluntary strike or of lawful picketing as permitted under Section 6 hereof or of a lawful boycott as permitted under Section 10 hereof.

Section 3. It shall be unlawful for any person to picket in or upon any public place, or in or upon any private place within the view of any person or persons who are in or upon any public place, in a manner calculated or with the intent to coerce or intimidate any person who for any lawful purpose is approaching, entering, occupying or leaving, or who is in or on, any place of business or place of residence, or who is attempting or seeking to do any of the foregoing.

Section 4. It shall be unlawful for any person to picket in or upon any public place, or in or upon any private place

and other industrial controversies. Recognizes the right of employees to strike and bargain collectively. Provides for civil damages and prescribes criminal punishments and penalties for and judicial procedure to prevent and enjoin violations thereof. Repeals all laws conflicting therewith.

within the view of any person or persons who are in or upon any public place, in a manner calculated or with the intent to induce or influence any person to refrain from entering, occupying or leaving any place of business, or to refrain from performing services or labor, or to refrain from seeking or obtaining employment, or to refrain from purchasing, selling, using, delivering, transporting, handling or receiving any goods, wares, merchandise, products, crops, materials, supplies, tools, equipment, services, entertainment, accommodations or articles, or to refrain from attempting to do any of the foregoing.

Section 5. It shall be unlawful for any person to picket in or upon any public place or in or upon any private place within the view of any person or persons who are in or upon any public place, in a manner calculated or with the intent to coerce, induce or influence any person (i) to become, refrain from becoming, remain, or cease to remain, a member or participant in any labor organization or (ii) to employ or refrain from employing, or to continue or terminate the employment of, any person or class of persons.

Section 6. The provisions of Section 4, Section 7 and Section 9 hereof shall not apply to picketing at a place of business by bona fide employees engaged in a primary strike against a particular employer, in the manner, under the conditions, and subject to the limitations and regulations in this section provided, to wit:

(a) A majority of such bona fide employees engaged in such primary strike against their employer may designate in writing, or cause to be designated in writing, certain of their number to act as pickets, as hereinafter in this section permitted. The places of business of such particular employer at which such primary strike is in progress may, during the continuance of such primary strike, be picketed by such bona fide employees so designated, provided that each of such picketing employees shall, at all times while so engaged in picketing, have upon his or her person, and exhibit, when so requested at any time by any officer of the law, such designation in writing. It shall be unlawful for any person to make, sign, issue or use a purported designation which he knows to be untrue or unauthorized, or which he has no reasonable ground to believe to be true or authorized.

(b) The number of such bona fide employees so picketing at any place of business shall not at any time exceed one for each entrance to such place of business upon a public place, provided, however, that a minimum of two such bona fide employees so designated may be so engaged in such picketing at a place of business at any time. If the number of such designated bona fide employees so engaged in picketing at a place of business shall at any time exceed the maximum number herein specified, then each and all of the persons so engaged in picketing at such place of business shall be guilty of violation of this act.

(c) The activity of any such bona fide employee, while so picketing, shall be limited to any or all of the following: (i) to patrolling on foot upon the public places in front of or about such place of business, (ii) to the wearing of an arm band which shall set forth the name or initials of the organization represented by the person wearing such arm band and the word "picket" and (iii) to wearing or carrying a banner, not exceeding two feet by three feet, which may set forth the name or initials of the organization represented by the person wearing or carrying such banner, the word "picket," the statement that a strike is in progress at the place of business so being picketed, and any statement with respect to such strike which is true and not misleading; but such arm band or banner shall have thereon no other words, letters, picture or design whatsoever.

(d) In the event a primary strike exists at some but not all of the places of business of an employer, those places of business of such employer at which no primary strike exists may not be picketed.

(e) No two such bona fide employees while so picketing any place of business shall be within less than twenty-five feet of each other; provided, however, that the restriction of this subsection (e) shall not apply where not more than two such bona fide employees are picketing such place of business.

Section 7. It shall be unlawful for any person to carry, show or display any banner, in or upon any public place, or in or upon any private place, within the view of any person who is in or upon any public place, in front of, in the vicinity of, or about any place of business, or any of the approaches leading thereto or therefrom, in a manner calculated or with the intent (i) to intimidate or coerce any person who for any lawful purpose is approaching, entering, occupying or leaving, or who is in or on, any place of business or place of residence, or (ii) to coerce, induce or influence any person who has a legal right or privilege so to do, to refrain from entering, occupying, or leaving any place of business, or to refrain from performing services or labor or to refrain from seeking or obtaining employment, or to refrain from purchasing, selling, using, delivering, transporting, handling or receiving any goods, wares, merchandise, products, crops, materials, supplies, tools, equipment, services, entertainment, accommodations or articles, or to refrain from attempting to do any of the foregoing, or (iii) to coerce, induce or influence any person to become, refrain from becoming, remain, or cease to remain, a member or participant in any labor organization, or (iv) to coerce, induce or influence any person to employ or refrain from employing, or to continue or terminate the employment of, any person or class of persons.

Section 8. It shall be unlawful for any person to utter to or within the hearing of any other person or persons any indecent, obscene, profane, opprobrious, libelous or slanderous or derogatory epithets, words or language, or threats of violence, or any statements intended to deceive or mislead such other person or persons, in a manner calculated or with the intent (i) to intimidate or coerce any person who for any lawful purpose is approaching, entering, occupying or leaving, or who is in or on, any place of business or place of residence, or (ii) to induce or influence any person to refrain from entering, occupying or leaving, any place of business or to refrain from performing services or labor, or to refrain from seeking or obtaining employment, or to refrain from purchasing, selling, using, delivering, transporting, handling or receiving any goods, wares, merchandise, products, crops, materials, supplies, tools, equipment, services, entertainment, accommodations or articles, or to refrain from attempting to do any of the foregoing, or (iii) to coerce, induce or influence any person to become, refrain from becoming, remain, or cease to remain, a member or participant in any labor organization, or (iv) to coerce, induce or influence any person to employ or refrain from employing, or to continue or terminate the employment of, any person or class of persons.

Section 9. It shall be unlawful for any two or more persons to conspire, combine or enter into an agreement for the purpose, in whole or in part, of causing the parties to such conspiracy, combination or agreement, or by any means or com-

or misleading statements or threats of violence, and certain other acts in connection with labor disputes and other industrial controversies. Recognizes the right of employees to strike and bargain collectively. Provides for civil damages and prescribes criminal punishments and penalties for and judicial procedure to prevent and enjoin violations thereof. Repeals all laws conflicting therewith.

bination of means of notifying, requesting, influencing, inducing or coercing any other person or persons, to refrain from purchasing, leasing, receiving, producing, harvesting, manufacturing, processing, handling, dealing in, working on, using, furnishing, supplying, rendering, selling, transporting, delivering, marketing or distributing any goods, wares, merchandise, products, crops, materials, supplies, tools, equipment, building, structure, works, accommodations, entertainment or services, for the reason, in whole or in part, that an industrial controversy exists, whether or not any of the parties to such conspiracy, combination or agreement, or any of the persons notified, requested, influenced, induced or coerced, are parties to or interested in such industrial controversy.

Section 10. The provisions of Section 9 hereof shall not apply to the following: (a) to any notice or request given by any bona fide employee of a particular employer to other persons requesting that such other persons personally (but not as employees of another employer) refrain from purchasing, leasing, receiving or using any goods, wares, merchandise, products, crops, accommodations, entertainment or services, produced, manufactured, processed, handled, distributed, furnished, rendered or offered by said employer, for the sole reason that a labor dispute exists to which said employer and said notifying or requesting employee are parties; (b) to any notice, advice or peaceful persuasion by a bona fide employee of a particular employer, or by a labor organization of which such bona fide employee is a member, to any other employee of such employer, which notice, advice or peaceful persuasion deals solely with the necessity, desirability and arrangements for, or the calling, commencement, or termination of, a primary strike by employees of such employer; (c) to the persons and acts expressly excepted from the provisions of Section 9 by the provisions of Section 6 hereof.

Section 11. It shall be a just cause for dismissal from employment for any employee of a particular employer to fail or refuse to receive, harvest, process, handle, work on, use, furnish, supply, render, sell, transport, deliver, market or distribute, any goods, wares, merchandise, products, crops, materials, supplies, tools, equipment, building, structure, works, accommodations, entertainment or services, for the reason, in whole or in part, that an industrial controversy exists, whether or not said employee or said particular employer is party to or interested in such industrial controversy.

Section 12. It shall be unlawful for any employee, labor organization, or officer, representative or other agent of a labor organization, or any person or persons purporting to be an officer, representative or other agent of a labor organization, to intimidate or coerce any other person, in any manner calculated or with the intent to induce or influence any such other person (a) to join or refrain from joining, or to remain, or to cease to remain, a member of, any particular labor organization; (b) to enter, occupy, patronize, transact business at or leave any place of business, or to refrain from doing any of the foregoing; (c) to refrain from performing services or labor, seeking or obtaining employment, receiving, working upon, handling, rendering, utilizing, buying, selling, transporting or delivering, any goods, wares, merchandise, products, crops, materials, supplies, tools, equipment, accommodations, services, entertainment, or articles of any kind or nature whatsoever; (d) to strike or participate in any strike of employees against an employer; (e) to abstain or refrain from lawful access to, or lawful use of, public places in the State of California; (f) to grant or refrain from granting any demand in connection with any industrial controversy; (g) to employ or refrain from employing, or to continue or terminate the employment of, any person or class of persons.

Section 13. Nothing in this act contained is intended or shall be construed to prevent or restrict any employees, singly or in concert, from voluntarily striking or otherwise terminating their employment.

Section 14. It shall be unlawful for any person to block, impede or obstruct any public place, or lawful access thereto or lawful use thereof, or any entrance, exit or approach to any place of business in or upon any public place, in a manner calculated or with the intent to prevent, delay, hinder or interfere with the free passage therealong or therethrough of any other person who is entering, occupying or leaving such public place or any place of business, or who is performing any services or labor, or who is seeking or obtaining employment, or who is purchasing, selling, using, delivering, transporting, handling or receiving any goods, wares, merchandise, products, crops, materials, supplies, tools, equipment, accommodations, services, entertainment, or articles, or who is attempting or seeking to do any of the foregoing, or to prevent, delay, hinder or interfere with the free passage therealong or therethrough of any vehicle or conveyance operated by or in the custody of any such other person or in which any such other person is riding or attempting to ride, or to prevent, delay, hinder or interfere with the free use thereof or access thereto by any such other person or by any vehicle or conveyance or boat operated by or in the custody of any such other person.

Section 15. It shall be unlawful for any person to cause the driver or other person, in whose custody any vehicle or conveyance is moving along any public place, to slow down or stop the progress of such vehicle or conveyance with the intent to induce or influence the driver or any other person on or with such vehicle or conveyance to refrain from entering, occupying or leaving any place of business or to refrain from performing services or labor, or to refrain from seeking or obtaining employment, or to refrain from purchasing, selling, using, delivering, transporting, handling or receiving any goods, wares, merchandise, crops, materials, supplies, tools, equipment, accommodations, services, entertainment, or articles, or to refrain from attempting to do any of the foregoing, or to become or refrain from becoming, or remain or cease to remain, a member of any labor organization.

Section 16. It shall be unlawful for any person to seize, occupy or take into custody or possession, any private property without legal right so to do, as a means of, in a manner calculated to, or with the intention of, forcing or inducing the settlement of a labor dispute or other industrial controversy or the granting or rejection of demands made in connection therewith. It shall be unlawful for any employee, labor organization, or other person or combination of persons, to cause, authorize, direct or ratify, any such unlawful seizure, occupancy, possession or custody.

Section 17. It shall be unlawful for any two or more persons to conspire, combine or enter into an agreement for the purpose, in whole or in part, of violating or causing the violation of Sections 3, 4, 5, 7, 8, 12, 14, 15 or 16.

Section 18. Any person who shall violate any of the provisions of Sections 3, 4, 5, 7, 8, 12, 14 and 15 of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten dollars, or more than five hundred dollars, or by imprisonment of not less than ten days, or more than six months, or by both such fine and imprisonment. Any person who shall violate any provisions of Sections 9, 16 or 17 of this act shall, upon conviction thereof, be punished by a fine of not less than fifty dollars, or more than five thousand dollars, or by imprison-

LABOR
display of banners. Prohibits seizure of private property, coercion, interference with use of public highways, streets, wharves, docks, and other public places, use of abusive or misleading statements or threats of violence, and certain other acts in connection with labor disputes and other industrial controversies. Recognizes the right of employees to strike and bargain collectively. Provides for civil damages and prescribes criminal punishments and penalties for and judicial procedure to prevent and enjoin violations thereof. Repeals all laws conflicting therewith.

ment in a county jail or state penitentiary for a period of not less than one month, or more than two years, or by both such fine and imprisonment. Each such person shall be deemed guilty of a separate offense for each day during any portion of which the violation of any of the provisions of this act is committed or continued by such person.

Section 19. Any person who shall be injured in his person, business or property, by any other person, by reason of any act declared to be unlawful by this act, may sue to recover the damages by him sustained in an action instituted in the appropriate court.

Section 20. The several Superior Courts of the State of California are hereby invested with jurisdiction to prevent and restrain violations of this act. It shall be the duty of the several district attorneys of the respective counties and cities and counties of this State to institute proceedings, in the name of the People of the State of California, upon their own complaint or upon the complaint of any officer or other person to prevent and restrain such violations. When the parties complained of shall be duly notified of such proceedings, the court shall proceed as soon as may be to the hearing and determination of the case; and pending such proceedings and before final decree, the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises.

Section 21. Any person shall be entitled to sue for and have injunctive relief in any court of the State of California having jurisdiction over the parties, against threatened injury, loss or damage by violation of any of the provisions of this act, when and under the same conditions and principles as injunctive relief against threatened conduct that will cause loss or damage is granted by the courts of the State of California, under the rules governing such proceedings, and upon the execution of proper bond against damages for an injunction or restraining order improvidently granted and a showing that the danger of irreparable loss or damage is immediate, a preliminary injunction or restraining order may issue.

Section 22. No preliminary injunction restraining violations of this act shall be issued without notice to the opposite party or parties. No temporary restraining order restraining violations of this act shall be granted without notice to the opposite party or parties unless it shall clearly appear from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss or damage will result to the applicant before notice can be served and a hearing had thereon. Every such temporary restraining order shall be endorsed with the date and hour of issuance, shall be forthwith filed in the office of the clerk of the court issuing the same and entered of record, shall define the injury and state why it is irreparable and why the order was granted without notice, and shall by its terms expire within such time after entry, not to exceed ten (10) days, as the court or judge may fix, unless within the time so fixed the order is continued for a like period for good cause shown, and the reasons for such extension shall be entered of record. In case a temporary restraining order shall be granted without notice in the contingency specified, the matter of the issuance of a preliminary injunction shall be set down for a hearing at the earliest possible time and shall take precedence of all matters except older matters of the same character; and when the same comes up for hearing the party obtaining the temporary restraining order shall proceed with the application for a preliminary injunction, and if he does not do so the court shall dissolve the temporary restraining order. Upon two days' notice to the party obtaining such temporary restraining order the opposite party may appear and move the dissolution or modification of the order, and in that event the court or judge shall proceed to hear and determine the motion as expeditiously as the ends of justice may require.

Section 23. Every order of injunction or restraining order, issued to restrain or prevent violations of this act, shall be specific in terms, and shall describe in reasonable detail, and not by reference to the complaint or other documents, the act or acts sought to be restrained.

Section 24. Any person who shall disobey any lawful restraining order or order of injunction of any court of the State of California, by doing any act or thing therein or thereby forbidden to be done by him, if the act or thing so done by him be of such a character as to constitute also a criminal offense under this act, shall be tried by the court, or, upon demand of the accused, by a jury; provided, however, that the penalties for any such contempt, in case the accused is a natural person, shall not exceed the criminal penalties provided for the acts constituting such contempt under Section 18 of this act; and provided, further, that no proceeding for any such contempt shall be instituted against any person unless begun within one year from the date of the act complained of, but without affecting any proceedings in contempt pending at the time this act becomes effective; and provided further, that nothing contained in this Section 24 shall be construed to relate to contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice.

Section 25. All statutes or portions of statutes of the State of California which are in conflict with this act are hereby repealed. This act shall not be deemed to preclude additional and further regulations of employers, employees, labor organizations, pickets, boycotts, strikes or any other matters in this act described or dealt with by the Legislature of the State of California, or by any city, county, city and county, town, township or other local authority, provided that such additional regulations, whether now in effect or hereafter becoming effective, (i) shall not make lawful anything declared by this act to be unlawful and (ii) shall not impair the remedies for the enforcement of this act.

Section 26. If any section, subsection, paragraph, sentence, clause, phrase, word, provision or portion of this act, or the application thereof to any person or circumstance, shall be held to be invalid or unconstitutional, such section, subsection, paragraph, sentence, clause, phrase, word, provision or portion of this act, or such application thereof, shall not affect the validity or constitutionality of the remaining portions of this act or the application of its provisions to other persons or circumstances, and it is hereby declared that the parts and provisions of this act are severable and that this act and each and every section, subsection, paragraph, sentence, clause, provision or portion of this act would have been adopted regardless of the invalidity or unconstitutionality of any other section, subsection, paragraph, sentence, clause, phrase, word, provision or portion thereof or of any application thereof, and, without in any wise limiting the generality of the foregoing, it is hereby further declared that, if any provision of Section 6, Section 10, or Section 12 of this act shall be held to be invalid or unconstitutional, or shall be held to render any other provision or section of this act invalid or unconstitutional, then each and every other portion of this act, whether so affected by said Section 6, Section 10 or Section 12, would have been adopted regardless of the invalidity or unconstitutionality or effect of any of said last mentioned sections or any portion thereof.